

Board of Zoning Appeals

August 25, 2020 – 7 pm

REGULAR MEETING AGENDA

This meeting will be held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. The public may monitor this meeting by calling 1-415-655-0001 and entering the meeting code **133 749 1926**. If you incur costs to call into the meeting, you may submit the costs to the City for reimbursement consideration. For technical assistance, please contact the City at 763-593-8007 or webexsupport@goldenvalleymn.gov.

1. Call to Order

2. Approval of Agenda

3. Approval of Minutes

July 28, 2019, Regular Meeting

4. 2565 Byrd Ave

David Uhr, Applicant

Request: § 113-152, Screening and Outdoor Storage, Subd. (c)(1)(a). 2 ft. over the allowed 4 ft. in height for fences in a front yard to a total of 6 ft.

5. 500 Ardmore

James Kraschel, Applicant

Request: § 113-88, Single Family Zoning District, Subd. (i)(2) .05 feet off of the required 3 ft. to a distance of 2.95 ft. at its closest point to the side yard (north) property line.

6. 5505 Lindsay St

Vladimir Sivriver, Applicant

Request: § 113-89, Moderate Density Residential (R-2) 20 ft. off of the required 35 ft. to a distance of 15 ft. at its closest point to the front yard (east) property line.

7. Adjournment



This document is available in alternate formats upon a 72-hour request. Please call 763-593-8006 (TTY: 763-593-3968) to make a request. Examples of alternate formats may include large print, electronic, Braille, audiocassette, etc.



Board of Zoning Appeals

July 28, 2020 – 7 pm

REGULAR MEETING MINUTES

This meeting was held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. In accordance with that declaration, beginning on March 16, 2020, all Board of Zoning Appeals meetings held during the emergency were conducted electronically. The City used Webex to conduct this meeting and members of the public were able to monitor the meeting by calling 1-415-655-0001 and entering the meeting code **133 743 2368**.

Call To Order

The meeting was called to order at 7 pm by Chair Orenstein.

Roll Call

Members present: Chris Carlson, Sophia Ginis, Nancy Nelson, Richard Orenstein, Kade Arms-Regenold, Loren Pockl – Planning Commissioner

Members absent:

Staff present: Planning Manager Jason Zimmerman and Planner Myles Campbell

Approval of Agenda

MOTION made by **Nelson**, seconded by **Ginis** to approve the agenda of July 27, 2020, as submitted. Staff took a roll call vote and the motion carried unanimously.

Approval of Minutes

MOTION made by **Nelson**, seconded by **Carlson** to approve the June 23, 2019, meeting minutes as submitted. Staff took a roll call vote and the motion carried unanimously.

1. 2301 Indiana Ave N

Tom Schirber, Applicant

Request: § Section 113-88, Single Family Zoning District, Subd. (f)(1)(a) 14.8 ft. off of the required 30 ft. to a distance of 15.2 ft. at its closest point to the Front yard (east) property line.

Myles Campbell, Planner, started by stating the applicant is requesting a variance from City Code in order to construct a roof over a patio area in the rear yard of his property. **Campbell** continued with a background of the property as well as its location in a cul-de-sac. The property has a significant section of public right-of-way in the front yard and the existing home location is approximately 24.2 feet from the front property line, less than the required 35 feet. There is approximately 35.8 feet of right-of-way between the property line and the curb, effectively creating a separation of 60 feet between the home and the cul-de-sac.



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Staff reviewed the application and after analysis found the variance request to be in line with both the purpose of the Zoning Code as well as the purpose of the Single-Family Residential (R-1) Zoning District.

Recommendation

Staff recommends **approval** of the variance request of 14.8 feet off the required 30 feet to a distance of 15.2 feet at its closest point to the front yard property line.

Chair Orenstein stated he agreed with staff analysis and the three practicalities have been met. **Nelson** echoed this statement. The Chair invited the applicant to speak.

Tom Schirber, Applicant stated the analysis is clear and he appreciates the analysis and recommendation.

A **MOTION** was made by **Ginis** and seconded by **Nelson** to follow staff recommendation and approve the variance request of 14.8 ft. off of the required 30 ft. to a distance of 15.2 ft. at its closest point to the Front yard (east) property line.

Staff called a roll call vote and the motion passed unanimously.

2. 4310 Tyrol Crest

Alyson Frahm, Applicant

Request: § Section 113-152, Screening and Outdoor Storage, Subd. (c)(1)(a) 4 ft. over the allowed 4 ft. in height for fences in a front yard to a total of 8 ft.

Myles Campbell, Planner, gave the Board a background on the lot and its location on a frontage road and faces three roads total: Tyrol, June, and Wayzata. The applicant is hoping for an 8-foot privacy fence to provide privacy and noise mitigation from the highway. The property line is set back from the curb and avoids a visibility triangle issue.

Staff provided an analysis to the Board and determined that the variance request was consistent with both the Zoning Code and was consistent with the Comp. Plan. They also felt it met the requirements for exhibiting “practical difficulties”. Staff added that a 6-foot fence will provide similar privacy and an 8-foot fence would have little to no impact on mitigating noise as the home sits above the grade of the intersection.

Recommendation

Staff recommends **denial** of the variance request of 4 ft. over the allowed 4 ft. in height to a total of 8 ft. for the fence.

However, staff recommends **approval** of a modified variance request of 2 ft. over the allowed 4 ft. in height to a total of 6 ft. for the fence.

Board asked for clarification from staff on approving a modified variance. Clarification was provided on the on the property line in relation to the corner and ensuring traffic visibility at the intersection.

Alyson Frahm, Applicant not present.

Chair Orenstein asked if there were any members of the public wishing to speak.

Doug Diedrich
4315 Tyrol Crest

Diedrich stated there is not mitigation at the top of the hill from I-394 noise. He added that the setback from the intersection is his concern but feels reassured that the fence will be inside the current vegetation on that intersection. He added that the height of the fence is a good idea and he stated that the owners want a fence to increase safety for their children. **Diedrich** added that another neighbor has a fence about 8 feet off the property line and the fence is aesthetically pleasing. It would be generous if the applicant made it a goal to have an equally pleasing fence.

The Board entered in to a discussion about the variance request. Their conversation revolved around the 8-foot request versus a 6-foot fence, the traffic, and visibility on the frontage road.

Staff provided an analysis and determined that the variance request was consistent with both the Zoning Code and was consistent with the Comp. Plan. They also felt it met the requirements for exhibiting “practical difficulties”.

Recommendation

Staff recommends **approval** of a modified variance request of 6 feet off the required 30 feet to a distance of 24 feet at its closest point to the front yard property line.

A **MOTION** was made by **Chair Orenstein** and seconded by **Carlson** to recommend approval of a modified variance request of a fence 2 feet over the allowed 4 feet for a total of a 6-foot fence, with the condition that the fence be located in conformity with the site plan given to the city by the applicant.

Staff called a roll call vote and the motion passed unanimously.

3. 1325 Castle Court

Andrew Schwanke, Applicant

Request: § Section 113-88, Single Family Zoning District, Subd. (f)(1)(a) 6 ft. off of the required 30 ft. to a distance of 24 ft. at its closest point to the Front yard (west) property line.

Myles Campbell, Planner, gave the Board a background on the home and the lot having a double frontage on Castle Court (front of house) and Zealand Ave (rear of house). The applicant would like to build a deck off the home’s rear but the rear is considered a front yard, under the zoning code.

The home is 35 feet from the west property line and at a significantly lower grade than the road, adding a deck reduces the setback to 24 feet. The front of the home is in a floodplain and placing the deck to the rear and avoiding that is in line with the goal from the Comp Plan's *Water Resources* chapter. A patio would also work in this space and that wouldn't require a variance, however given the significant grade change, staff have concerns about the impact that the necessary grading work would have on the flow of stormwater.

Recommendation

Staff recommends **approval** of the variance request of 6 feet off the required 30 feet to a distance of 24 feet at its closest point to the front yard property line.

The Chair invited Andrew Schwanke, the applicant, to speak. Schwanke echoed staff's concern with a patio and water runoff, as well as that the deck isn't visible from Zealand.

A **MOTION** was made by **Ginis** and seconded by **Pockl** to follow staff recommendation and approve the variance of 6 feet off the required 30 feet to a distance of 24 feet at its closest point to the front yard property line.

Staff called a roll call vote and the motion passed unanimously.

Adjournment

MOTION made by **Pockl**, seconded by **Orenstein** and the motion carried unanimously to adjourn the meeting at 7:57 pm.



Amie Kolesar, Planning Assistant

Richard Orenstein, Chair



MEMORANDUM

Physical Development Department

763-593-8095 / 763-593-8109 (fax)

Date: August 25, 2020

To: Golden Valley Board of Zoning Appeals

From: Myles Campbell, Planner

Subject: 2565 Byrd Ave N
David Uhr, Applicant

Introduction

David Uhr, the property owner, is seeking a variance from the City Code to build a six-foot tall fence in the rear and side yard of his home, which both face public streets. The applicant is seeking the following variances from City Code:

Variance Request	City Code Requirement
The applicant is requesting a variance of 2 ft. over the allowed 4 ft. in height for fences in a front yard to a total of 6 ft.	<p>§ 113-152, Screening and Outdoor Storage, Subd. (c)(1)(a) Height Requirements</p> <p>Fences in all front yards shall not exceed four feet in height. Fences in side and rear yards shall not exceed six feet in height.</p>

Background

The home at 2565 Byrd Ave N was originally built in 1959 as part of the Scherer Addition. The lot is located at the northern terminus of Byrd Avenue but also abuts 26th Ave N to the north and Kewanee Way to the west. Because of having three sides that face public streets, the rear and side yards are considered under code to be front yards in terms of their allowance for structures such as fences, decks, and sheds.



Many of these roadways also terminate in the area as dead ends. Both 26th Ave and Kewanee Way dead end to the west of the property, and only service the handful of homes that access that section of roadway. In addition to the public frontages, the lot also has a slight dip in grade from the home to the rear yard, generally around 4-6 feet in grade change. The applicant notes this change in grade would allow for a greater degree of visibility from roadways such as France Ave to the north, which comes downhill towards the home.

Summary of Requests

§ 113-152 Subd. (c)(1)(a) establishes the maximum height for fences on residential properties. Typically, height is capped at 4 feet for front yards, and 6 feet for rear yards. This distinction helps to prevent home facades from being blocked from public view, while still allowing additional privacy in rear yards. As noted, while the area proposed to be screened in by the applicant functions as a back yard, in City code it is still considered a front yard, and therefore fences would be limited to 4 feet in height. The only section of the yard that could be built to 6-feet by right would be to the south of the home and between both the eastern and western planes of the home.

The applicant notes that they are seeking the additional height both for privacy and security. While this section of France Ave doesn't have exceptionally high traffic levels (650 annual average daily traffic in 2017) it does come downhill to a stop sign across from the property. The applicant also has a large dog and is expecting a child and so would appreciate the added security of a taller fence.

Analysis

In reviewing this application, staff has maintained the points of examination to the considerations outlined in Minnesota State Statute 462.357 – that the requested variance is in harmony with the general purposes and intent of the Zoning Chapter, that it is consistent with the City's Comprehensive Plan, and that a property exhibit "practical difficulties" in order for a variance to be granted.

Staff finds that the variance is generally in line with both the purpose of the Zoning Code as well as the City's 2040 Comprehensive Plan. The fence height is atypical but not completely out of line with the expectations for a residentially zoned property, and does not introduce other uses or greater density.

In order to constitute practical difficulties:

1. The property owner must propose to use the property in a reasonable manner.

While fences are common and reasonable use of a residential property, six-foot fences in front yards are typically only allowed by the City in cases where a street is particularly busy or active, such as in the cases of a frontage road. Given the low level of traffic, staff is not convinced that the additional height is necessary for privacy reasons.

2. The landowners' problem must be due to circumstances unique to the property that is not caused by the landowner.

While corner lots are common throughout the city, lots with three sides facing a public roadway are rare. With most corner lots, there is an ability to push a fence inward on a lot and bring it behind the front planes of the home to build a six-foot fence by right, however this is not an option here.

3. And the variance, if granted, must not alter the essential character of the locality

By staff's review, there are very few existing fences in this neighborhood. For this reason, a six-foot privacy fence would certainly be a noticeable change to the area.

Additionally, staff assesses whether other options are available to meet the applicant's needs without requiring a variance, or whether the proposal requests the smallest variance necessary to meet the applicant's needs. While the applicant would prefer a higher fence, a four-foot fence could be built by right and require no variance approvals.

Recommendation

Staff recommends **denial** of the variance request of 2 ft. over the allowed 4 ft. in height for fences in a front yard to a total of 6 ft.

Property Legal Description

Property ID number:	18-029-24-11-0039
Address:	2565 BYRD AVE N
Municipality:	GOLDEN VALLEY
School district:	281
Watershed:	7
Sewer district:	01
Construction year:	1959
Owner name:	DAVID UHR & SASKIA ROBERTSON
Taxpayer name & address:	DAVID UHR & SASKIA ROBERTSON 2565 BYRD AVE N GOLDEN VALLEY MN 55422

Tax parcel description

The following is the County Auditor's description of this tax parcel. It may not be the legal description on the most recent conveyance document recording ownership. Please refer to the legal description of this property on the public record when preparing legal documents for recording

Addition name:	SCHERER ADDITION
Lot:	001
Block:	002
Approximate parcel size:	72.6X130X69X107
Metes & Bounds: Common abbreviations	
Abstract or Torrens:	BOTH

Value and tax summary for taxes payable 2020

Values established by assessor as of January 2, 2019

Estimated market value:	\$227,000
Taxable market value:	\$210,190
Total improvement amount:	
Total net tax:	\$3,300.74
Total special assessments:	
Solid waste fee:	
Total Tax:	\$3,300.74 Expand for taxes due

Property information detail for taxes payable 2020

Values established by assessor as of January 2, 2019

Values:

Land market:	\$79,000
Building market:	\$148,000
Machinery market:	
Total market:	\$227,000
Qualifying improvements:	
Veterans exclusion:	
Homestead market value exclusion:	\$16,810

Classifications:

Property type:	RESIDENTIAL
Homestead status:	HOMESTEAD
Relative homestead:	
Agricultural:	
Exempt status:	



Zoning Code Variance Application

Page 1 of 3

Street address of property in this application:

Applicant Information

Name (individual, or corporate entity)

Street address

Zip

Phone

Email

Authorized Representative (if other than applicant)

Name

Street address

Zip

Phone

Email

Property Owner (if other than applicant)

Name

Street address

Zip

Phone

Email

Site Information

Provide a detailed description of the variance(s) being requested:

Provide a detailed description of need for a variance from the Zoning Code, including description of building(s), description of proposed addition(s), and description of proposed alteration(s) to property:

→ continued

Minnesota State Statute 462.357 requires that a property exhibit “practical difficulties” in order for a variance to be considered.

Practical difficulties:

- result in a use that is reasonable
- are based on a problem that is unique to the property
- are not caused by the landowner
- do not alter the essential character of the locality

To demonstrate how your request will comply with Minnesota State Statute 462.357, please respond to the following questions.

Explain the need for your variance request and how it will result in a reasonable use of the property.

What is unique about your property and how do you feel that it necessitates a variance?

Explain how the need for a variance is based on circumstances that are not a result of a landowner action.

Explain how, if granted, the proposed variance will not alter the essential character of your neighborhood and Golden Valley as a whole.

The City requests that you consider all available project options permitted by the Zoning Code before requesting a variance. The Board of Zoning Appeals will discuss alternative options to seeking a variance with you at the public hearing. **Please describe alternate ways to do your project that do not require variances from the Zoning Code.**

Required Attachments

- ☐ **Current survey** of your property, including proposed addition and new proposed building and structure setbacks (a copy of Golden Valley's survey requirements is available upon request; application is considered incomplete without a current property survey)
- ☐ One **current color photograph** of the area affected by the proposed variance (attach a printed photograph to this application or email a digital image to planning@goldenvalleymn.gov; submit additional photographs as needed)
- ☐ **Application fee:** \$200 for Single-Family Residential, \$300 for all other Zoning Districts
- ☐ **Legal description:** Exact legal description of the land involved in this application (attach a separate sheet if necessary)

Signatures

To the best of my knowledge, the statements found in this application are true and correct. I also understand that unless construction of the action applicable to this variance request, if granted, is not taken within one year, the variance expires. I have considered all options afforded to me through the City's Zoning Code and feel there is no alternate way to achieve my objective except to seek a variance to zoning rules and regulations. I give permission for Golden Valley staff, as well as members of the Board of Zoning Appeals, to enter my property before the public hearing to inspect the area affected by this request.

Applicant

Name (please print): _____

Signature: **X** _____ Date: _____

Authorized Representative (if other than applicant)

Name (please print): _____

Signature: **X** _____ Date: _____

Property Owner (if other than applicant)

Name (please print): _____

Signature: **X** _____ Date: _____

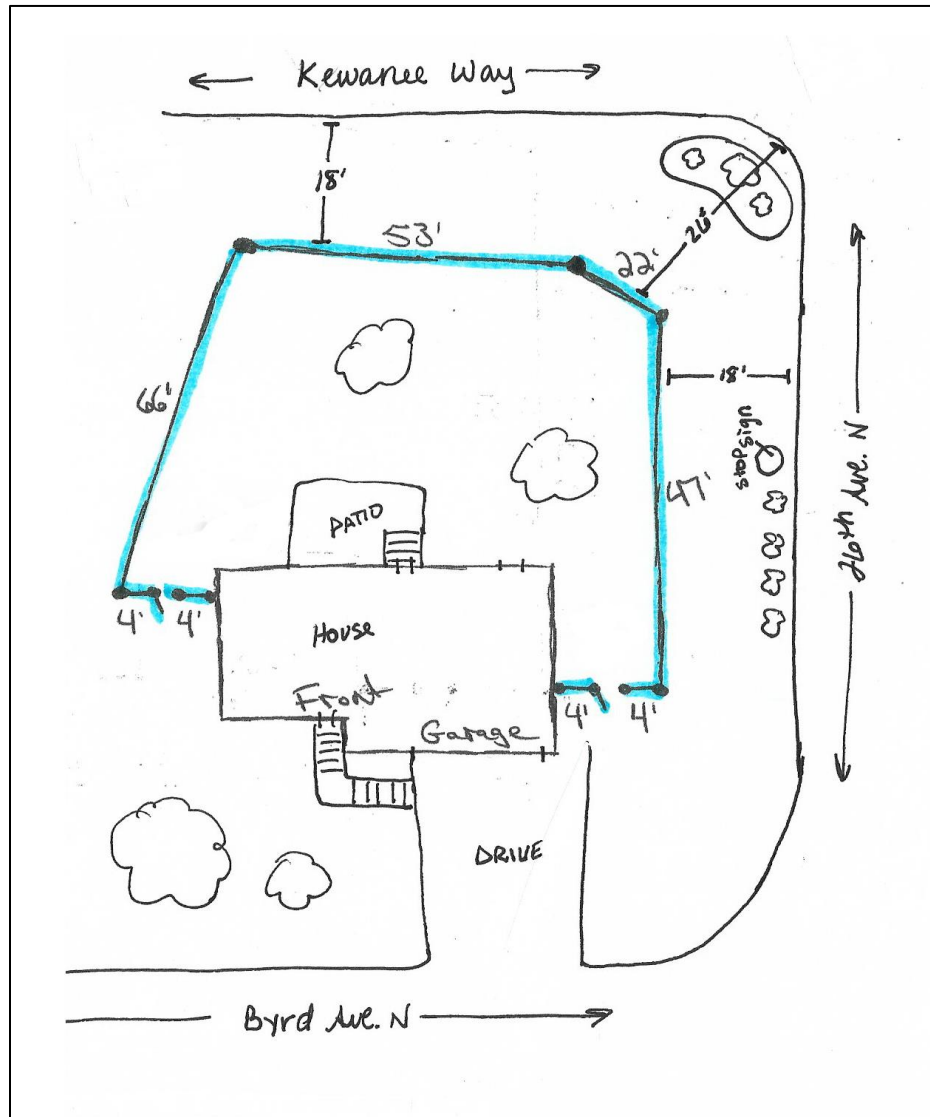
Please note: The City of Golden Valley will send notice of your variance request to all adjoining property owners as well as owners of properties directly across streets or alleys. Your neighbors have the right to address the Board of Zoning Appeals at your public hearing. You are advised to personally contact your neighbors and explain your project to them before the public hearing.



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Sketch of proposed fence



Corner of 26th Ave. and Kewanee. This landscaping would be outside of the fence line and help the fence blend nicely into the neighborhood



Stop sign on 26th Ave. People stop directly in front of our yard and will be able to peer into our yard if a 6ft fence is not installed.



Steep hill on France Ave. when heading south towards 26th Ave. This road dead-ends at our property. Due to the hill, drivers heading South on France can see into our yard from approximately 400 ft. away. There is also a stop sign at the bottom of this road so cars stop facing our yard.



This is where France Ave. meets 26th Ave. There is a sign directing people to turn left on 26th Ave since turning right is a dead-end. If you turn right on 26th Ave. You see the dead-end sign in the right image. The landscaping in the left photo would be outside of the fence.



**Looking South down our lot
on Kewanee Ave. The
Wood stakes are where the
fence would be placed.**



**Looking North down
Kewanee Ave. This is where
the other dead-end sign is
located.**







MEMORANDUM

Physical Development Department

763-593-8095 / 763-593-8109 (fax)

Date: August 25, 2020

To: Golden Valley Board of Zoning Appeals

From: Myles Campbell, Planner

Subject: 500 Ardmore Drive
James Kraschel, Applicant

Introduction

James Kraschel, the property owner, is seeking a variance from the City Code to bring an existing home into conformity with the side setback requirements for structures built prior to 1982. The applicant is seeking the following variances from City Code:

Variance Request	City Code Requirement
The applicant is requesting a variance .05 feet off of the required 3 ft. to a distance of 2.95 ft. at its closest point to the side yard (north) property line.	<p>§ 113-88, Single Family Zoning District, Subd. (i)(2) Pre-1982 Structures, Side Yard Requirement</p> <p>The structure setback for principal structures shall be no closer than three feet to the side lot line.</p>

Background

The home at 500 Ardmore was originally built in 1941 as part of the Glenwood Addition. The current lot is a combination of two 40 ft. parcels for an approximate 10,680 sq. ft. total. The home primarily faces Ardmore Drive, with Woodstock Ave directly to its south.



The existing home is located on the southern portion of the lot. If the two underlying parcels were separated as part of a tax parcel division, there would not be any encroachment on the northern lot from the home. However, a recent survey has shown the need for a variance regarding the home's setback in order to bring it into conformity.

Summary of Requests

As part of the process of undertaking a tax parcel division, the applicant needed to confirm that the existing home's location would be in conformity with the requirements of the zoning code. Given that this structure was built in the 1940's it is mostly subject to the City's standards for principal structures built prior to 1982, which allow for some extra leniency in order to account for a much different zoning code at the time.

After producing a survey, the applicant found that the existing home was built just shy of the required 3 feet from the shared property line with the proposed split lot. For Pre-1982 structures, the city requires that principal structures are setback no less than 3 feet from the side lot line. The survey showed that the existing home is only 2.95 feet from the property line. This is equivalent to .6 of an inch from meeting the required 3 foot setback.

Typically, a case like this is handled by the Zoning Code, which allows for a degree of rounding up to meet setback requirements, from *Section 113-57 General Requirements (b)(3) Rounding*:

In order to meet front yard, side yard, and rear yard setbacks of five feet or greater required by this chapter, landowners may compute the distance between their structure and the lot line by rounding up to the next whole foot (for example, a distance greater than 14.0 feet may be rounded to 15 feet).

While this would normally apply to these cases where a setback is short by a fraction of a foot, because the Pre-1982 side setback is less than 5 feet, the City Attorney felt the rounding rule should not be applied, and that instead a variance should be sought. This would allow for review of the nonconformity, even with it being very minor overall.

Analysis

In reviewing this application, staff has maintained the points of examination to the considerations outlined in Minnesota State Statute 462.357 – that the requested variance is in harmony with the general purposes and intent of the Zoning Chapter, that it is consistent with the City's Comprehensive Plan, and that a property exhibit "practical difficulties" in order for a variance to be granted.

Staff finds that the variance is generally in line with both the purpose of the Zoning Code as well as the purpose of the Single-Family Residential (R-1) Zoning District, which is "to provide for detached single-family dwelling units at a low density along with directly related and complementary uses." While a tax parcel division of the lots would create additional density through the allowance of a new home on the northern parcel, this is a legal use of the property and is still a residential use. The City recently adopted a number of zoning text amendments relating to narrow lot homes, and these would all need to be satisfied by the design of the new home.

In the City's 2040 Comprehensive Plan, one of the stated objectives of the Land Use Chapter is to *protect existing residential neighborhoods* (p. 2-35). This has been a point of discussion throughout the examination of narrow lots and tax parcel divisions. In this case, staff doesn't feel this variance represents any threat to the neighborhood. The variance would allow for the existing home to

remain in place, and the slightly reduced setback would most directly impact the existing property owner who is hoping to stay in the existing home.

In order to constitute practical difficulties:

1. The property owner must propose to use the property in a reasonable manner.

Staff feels the request is reasonable given that the home is only a fraction of an inch from meeting the zoning code requirement. With such a minor difference between the code and the actual built distances, the lot otherwise functions as required by the code in regard to its setbacks. And while only tangential to the variance request, the ability to divide these parcels is a valid and legal one.

2. The landowners' problem must be due to circumstances unique to the property that is not caused by the landowner.

The discrepancy in the setback distance could be down to any number of factors dating back to when the home was constructed in the 40's. It's likely that degree of precision in measuring tools or practices has simply gotten better in the subsequent 70+ years.

3. And the variance, if granted, must not alter the essential character of the locality

Other than the ability to move forward with the tax parcel division, this variance would not change or expand upon the existing home in any way, it would merely establish the 2.95 ft. setback as conforming.

Additionally, staff assesses whether other options are available to meet the applicant's needs without requiring a variance, or whether the proposal requests the smallest variance necessary to meet the applicant's needs. Staff could think of no other alternatives as this is not a variance relating to a yet-to-be-acted-upon design, but rather an existing structure.

Recommendation

Staff recommends **approval** of the variance request of .05 feet off of the required 3 ft. to a distance of 2.95 ft. at its closest point to the side yard (north) property line.

Zoning Code Variance Application

Page 1 of 3

Street address of property in this application:

500 Ardmore Dr, Golden Valley, MN, 55422

Applicant Information

Name (individual, or corporate entity)

James Krascchel

Street address

500 Ardmore DR

Golden Valley

Zip

55422

Phone

763.443.5191

Email

jimkraschel@gmail.com

Authorized Representative (if other than applicant)

Name

JAMES N KRASCHEL
500 ARDMORE DR
GOLDEN VALLEY MN 55422-5218

Street address

Phone

Date 8-3-20

Property Owner (if other than applicant)

Name

PAY TO THE
ORDER OF

City of Golden Valley
Two Hundred and no/100

\$ 200

Dollars Security Features
Included
Details on Back

Street address

Phone

usbank.

Variance application - 500 ARDMORE DR
Golden Valley

J-K

⑆073000545⑆ 196471517140⑈ 64

Site Information

Provide a detailed description of the variance(s) being requested:

I am asking for a variance in allowable distance from my existing home to my lot line. My recent survey recorded my home being 0.6 inches too close to the lot line.

Provide a detailed description of need for a variance from the Zoning Code, including description of building(s), description of proposed addition(s), and description of proposed alteration(s) to property:

The need for the variance is for a parcel division of two previously platted lots.

→ continued

Zoning Code Variance Application

Page 1 of 3

Street address of property in this application:

500 Ardmore Dr, Golden Valley, MN, 55422

Applicant Information

Name (individual, or corporate entity)

James Keaschel

Street address

500 Ardmore DR Golden Valley

Zip

55422

Phone

763.443.5191

Email

jimkraschel@gmail.com

Authorized Representative (if other than applicant)

Name

Street address

Zip

Phone

Email

Property Owner (if other than applicant)

Name

Street address

Zip

Phone

Email

Site Information

Provide a detailed description of the variance(s) being requested:

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The need for the variance is for a parcel division of two previously platted lots.

→ continued

Minnesota State Statute 462.357 requires that a property exhibit "practical difficulties" in order for a variance to be considered. Practical difficulties:

- result in a use that is reasonable
- are based on a problem that is unique to the property
- are not caused by the landowner
- do not alter the essential character of the locality

To demonstrate how your request will comply with Minnesota State Statute 462.357, please respond to the following questions.

Explain the need for your variance request and how it will result in a reasonable use of the property.

Currently the lot sits empty and this will allow my flexibility in use for the property in the future.

What is unique about your property and how do you feel that it necessitates a variance?



The Variance is for 0.6 inches to comply w/ Existing regulations/Rules

Explain how the need for a variance is based on circumstances that are not a result of a landowner action.

The home was built in 1941, Probably used different methods/technology to establish boundaries

Explain how, if granted, the proposed variance will not alter the essential character of your neighborhood and Golden Valley as a whole.

This will not alter the character of the neighborhood. All homes on my block of Ardmore are built on single, narrow lots

Zoning Code Variance

Page 3 of 3

The City requests that you consider all available project options permitted by the Zoning Code before requesting a variance. The Board of Zoning Appeals will discuss alternative options to seeking a variance with you at the public hearing. **Please describe alternate ways to do your project that do not require variances from the Zoning Code.**

The only Alternative would be to demolish the home

Required Attachments

- ☒ **Current survey** of your property, including proposed addition and new proposed building and structure setbacks (a copy of Golden Valley's survey requirements is available upon request; application is considered incomplete without a current property survey)
- ☒ **One current color photograph** of the area affected by the proposed variance (attach a printed photograph to this application or email a digital image to planning@goldenvalleymn.gov; submit additional photographs as needed)
- ☒ **Application fee:** \$200 for Single-Family Residential, \$300 for all other Zoning Districts
- ☒ **Legal description:** Exact legal description of the land involved in this application (attach a separate sheet if necessary)

Signatures

To the best of my knowledge, the statements found in this application are true and correct. I also understand that unless construction of the action applicable to this variance request, if granted, is not taken within one year, the variance expires. I have considered all options afforded to me through the City's Zoning Code and feel there is no alternate way to achieve my objective except to seek a variance to zoning rules and regulations. I give permission for Golden Valley staff, as well as members of the Board of Zoning Appeals, to enter my property before the public hearing to inspect the area affected by this request.

Applicant

Name (please print): JAMES KRASCHEL

Signature: X 

Date: 8-3-20

Authorized Representative (if other than applicant)

Name (please print): _____

Signature: X _____

Date: _____

Property Owner (if other than applicant)

Name (please print): _____

Signature: X _____

Date: _____

Please note: The City of Golden Valley will send notice of your variance request to all adjoining property owners as well as owners of properties directly across streets or alleys. Your neighbors have the right to address the Board of Zoning Appeals at your public hearing. You are advised to personally contact your neighbors and explain your project to them before the public hearing.



This document is available in alternate formats upon a 72-hour request. Please call 763-593-8006 (TTY: 763-593-3968) to make a request. Examples of alternate formats may include large print, electronic, Braille, audiocassette, etc.



Call 48 Hours before digging.
GOPHER STATE ONE CALL
Twin Cities Area 651-454-0002
MN. Toll Free 1-800-252-1166



LEGEND

- DENOTES FLOOD PROPERTY (F)
 DENOTES SET 1/2" X 18" REBAR
 WITH PLASTIC CAP "PLS 25105"
 DENOTES BOUNDARY LINE
 DENOTES LOT LINE
 DENOTES SETBACK LINE
 DENOTES EXISTING SPOT ELEVATION
 DENOTES CONCRETE SURFACE
 DENOTES EXISTING CONTOUR LINE
 DENOTES FINISH FLOOR ELEVATION
 DENOTES BRICK PAVEMENT SURFACE
 DENOTES LIGHT POLE
 DENOTES DECIDUOUS TREE
 DENOTES CONIFEROUS TREE
 DENOTES CHAINLINK FENCE
 DENOTES WOOD FENCE
 DENOTES ELECTRIC POWER POLE
 DENOTES RETAINING WALL
 DENOTES MEASURED DISTANCE
 DENOTES PLATTED DISTANCE
 DENOTES SANITARY MANHOLE
 DENOTES ELECTRIC METER
 DENOTES AIR CONDITIONER
 DENOTES DRAINAGE FLOW
 DENOTES WATER VALVE
 DENOTES STORM CATCH BASIN (PIT/CATCH)
 DENOTES STORM SEWER MANHOLE
 DENOTES MANHOLE (UNKNOWN UTILITY)

NOTES

1. THE BASIS OF THE RECORD SYSTEM IS ASSUMED
2. NO SPECIFIC SOIL INVESTIGATION HAS BEEN COMPLETED
3. CONTRACTOR SHALL VERIFY PROPOSED ELEVATIONS
4. NO TITLE INFORMATION WILL BE SUBMITTED FOR THIS SURVEY. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD
5. EXISTING UTILITIES AND SERVICES SHOWN HEREIN OWNER LOCATED EITHER PHYSICALLY ON THE GROUND DURING THE SURVEY OR FROM EXISTING RECORDS MADE AVAILABLE TO US OR BY RECURRENT TESTIMONY. OTHER UTILITIES AND SERVICES MAY BE PRESENT. VERIFICATION AND LOCATION OF UTILITIES AND SERVICES SHOULD BE OBTAINED FROM THE OWNERS OF RESPECTIVE SERVICES BY CONTACTING THE APPROPRIATE AGENCIES.
6. FOR ANY DESIGN, PLANNING OR EXCAVATION

LEGAL DESCRIPTION

Lot 61 and Lot 52 including adjoining One and Half
vacant alley, GLENWOOD, Hennepin County.
Minnesota, according to the recorded plat thereon.

REFERENCE BENCHMARK

ELEVATION = 886.22 (NGVD 29) MINOT DISK
"MRA"

EXISTING BUILDING	918 SQ. FT.
EXISTING DECK	358 SQ. FT.
EXISTING SHED	44 SQ. FT.
EXISTING CONCRETE SURFACE	363 SQ. FT.
EXISTING PAVEMENT BRICK SURFACE	329 SQ. FT.
TOTAL LOT AREA	10,711 SQ. FT.

HARDCOVER

BUILDING SETBACKS
 10' SIDE SETBACK
 10' FRONT SETBACK
 10' REAR SETBACK
 10' SIDE SETBACK

ENGINEERING DESIGN & SURVEYING
5480 W-117TH St., Minneapolis, MN 55416
OFFICE: (763) 543-2800 FAX: (763) 543-2801
Web: info.enr.com WEB SITE: enr.com

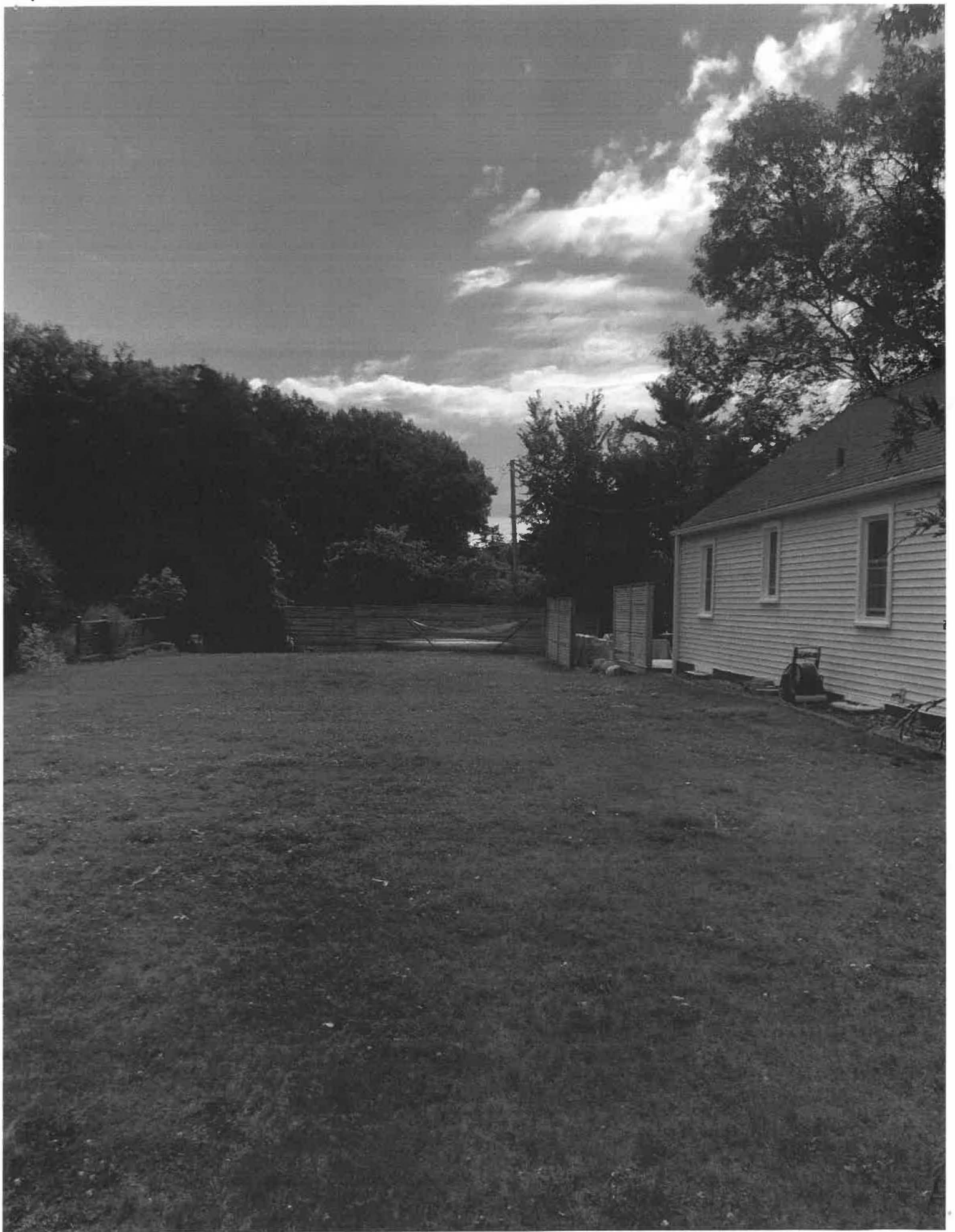


Wlad *Sov* *Vol* *Eg*

JOB NAME: JAMES KRASCHER
LOCATION: BOB ALLENMORE DRIVE

FIELD WORK DATE: 07/05/19

PROJECT NO. 12-078	DATE 12-15-88
PROJECT NO. 12-078	DATE 12-15-88





MEMORANDUM

Physical Development Department

763-593-8095 / 763-593-8109 (fax)

Date: August 25, 2020

To: Golden Valley Board of Zoning Appeals

From: Myles Campbell, Planner

Subject: 5509 Lindsay St.
Vladimir Sivriver, Applicant

Introduction

Vladimir Sivriver, the property owner, is seeking a variance from the City Code to build a new home which would have a reduced secondary front setback on its eastern side. The applicant is seeking the following variances from City Code:

Variance Request	City Code Requirement
The applicant is requesting a variance of 20 ft. off of the required 35 ft. to a distance of 15 ft. at its closest point to the front yard (east) property line.	<p>§ 113-89, Moderate Density Residential (R-2) Zoning District, Subd. (f)(1)(a) Front Yard Setback Requirements</p> <p>The required minimum front setback shall be 35 feet from any front lot line along a street right-of-way line.</p>

Background

5509 Lindsay is a MnDOT controlled parcel of land that is currently vacant. The lot itself is approximately 13,196 sq. ft. and just under 83 ft. wide at the front property line and 104 ft. at the rear. The lot was rezoned in 2017 while still owned by MnDOT, from Right of Way to Medium Density Residential (R-2). This zoning matches that of the residential parcels to the west and north of the site. While zoned R-2, the site fails to meet the minimum width requirements that would allow for a two-family home.



The applicant is hoping to build a single-family home on the lot for personal use. The building would have a footprint of approximately 2,995 sq. ft. which would be well below the limit for hard cover on the lot, and the added pavement from the driveway would also meet the code standards for impervious surface. The home would be two stories, with a partially finished basement.

Summary of Requests

Because this is a corner lot, fronting on Lindsay and Lilac, it is subject to the front yard setback requirement of the R-2 district on both street sides. § 113-89, Subd. (f)(1)(a) establishes the minimum front setback at 35 feet from the property line. This required setback would be reduced to varying degrees along the eastern portion of the home due to the property line running at an angle as opposed to parallel, but at its nearest the home would be 15 feet from the property line and 30 feet from Lilac Drive. The required setbacks on all sides as well as the proposed amounts are shown below.

	Front	Side (street)	Side (interior)	Rear
Required	35'	35'	12.5'	25'
Proposed	35'	15'-29'	17'	25'

The applicant has chosen to increase the interior side setback in order for the home's design to comply with the City's building envelope requirements. From § 113-89, Subd. (f)(1)(c)(2), lots having a width greater than 65 feet but less than 100 feet can build to a height of no more than 15 feet at the setback, and then must bring the structure further into the site to get more height, at a 2:1 ratio. By bringing the wall of the home in to 17 feet the applicant can build a wall to two stories without the need to step back.

In examining this request, staff examined some of the other homes that had secondary frontages along Lilac Drive. This was done via City mapping software rather than formal surveys, so the following are estimates of the distance between the home and the property line, as well as the roadway itself.

Address	Distance to Property Line	Distance to Curb (Lilac Dr)
5509 Lindsay St.	15'	30'
5505 Phoenix St.	20'	40'
5510 Phoenix St.	10'	60'
1215 Lilac Dr.	40' (primary frontage)	50'

While the distance to the property line varies, likely due to the expansion of Highway 100, staff found that most of the properties maintained a distance of at least 40' from the curb of Lilac Drive.

Analysis

In reviewing this application, staff has maintained the points of examination to the considerations outlined in Minnesota State Statute 462.357 – that the requested variance is in harmony with the general purposes and intent of the Zoning Chapter, that it is consistent with the City's

Comprehensive Plan, and that a property exhibit “practical difficulties” in order for a variance to be granted.

Staff finds that the variance is generally in line with both the purpose of the Zoning Code and the regulations of the Moderate Density Residential Zoning District. It is in line with the purpose of the R-2 district, which is “to provide for single-family and two-family dwellings at a moderate density (up to eight units per acre) along with directly related and complementary uses.”

In reviewing the request for consistency with the City’s 2040 Comprehensive Plan, staff also found that the plans mostly matched the intent and goals of the plan’s housing chapter. The construction of a new home by the applicant represents a clear reinvestment in what is currently a disinvested-in and vacant property. Similarly, the home maintains a significant amount of open space and pervious surfaces, in line with the City’s goals for environmentally sustainable housing. Since this is an R-2 property, we would normally wish to see this lot used for some type of moderate density workforce or lifecycle housing, but since the lot fails to meet the buildability requirements for a duplex, this priority is lessened.

In order to constitute practical difficulties:

1. The property owner must propose to use the property in a reasonable manner.

While the home overall is scaled and designed in a complementary fashion to the property, the proposed plan shows a three-car garage as the primary cause of the encroachment into the setback. While a garage is a reasonable request given Minnesota winters, the third stall is an extra affordance for lots that have the space to allow for them by-right. Staff feels this would be an unreasonable use for which to grant a variance.

2. The landowners’ problem must be due to circumstances unique to the property that is not caused by the landowner.

Given that this is a new construction, the necessity for a variance is largely dependent on the design put forward by the applicant. While a corner lot presents some limitations with its setback requirements, the shape and grade of the lot do not present any other unique circumstances that might impact the buildability.

3. And the variance, if granted, must not alter the essential character of the locality

Along Lilac there are more than a few homes with secondary front setbacks below the 35’ required by code. These insufficient setbacks largely stem from the expansion of highway 100, but they do mean that a short setback such as the one proposed by the applicant would not be out of place. The applicant’s plans also maintain the required setback on the interior side property line to the west, minimizing the impact on neighbors.

Additionally, staff assesses whether other options are available to meet the applicant’s needs without requiring a variance, or whether the proposal requests the smallest variance necessary to meet the applicant’s needs. Staff would feel more comfortable approving a less drastic variance than the one currently proposed by the applicant. Since this is a new build project, there is likely

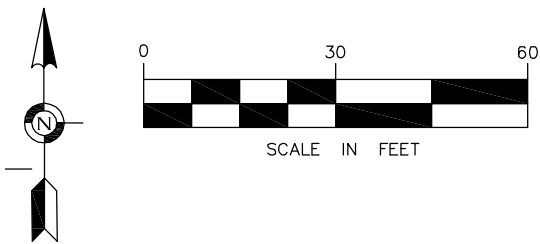
room for some adjustment and compromise that would require a less drastic encroachment towards Lilac.

One option suggested by the applicant was that if the BZA was not in favor of reducing the street side setback, an alternative would be to allow for the western side of the home to be built at the 12.5' side setback instead of 17' from the property line. The variance request in this case would be to waive the requirements of the building envelope language in § 113-89, Subd. (f)(1)(c)(2). This would afford 4.5 extra feet of space, however it would also bring a two-story wall that is approximately 60 feet long very close to the adjoining neighbor. Staff would not support this type of request, as it has a much greater impact on neighboring properties than the original request.

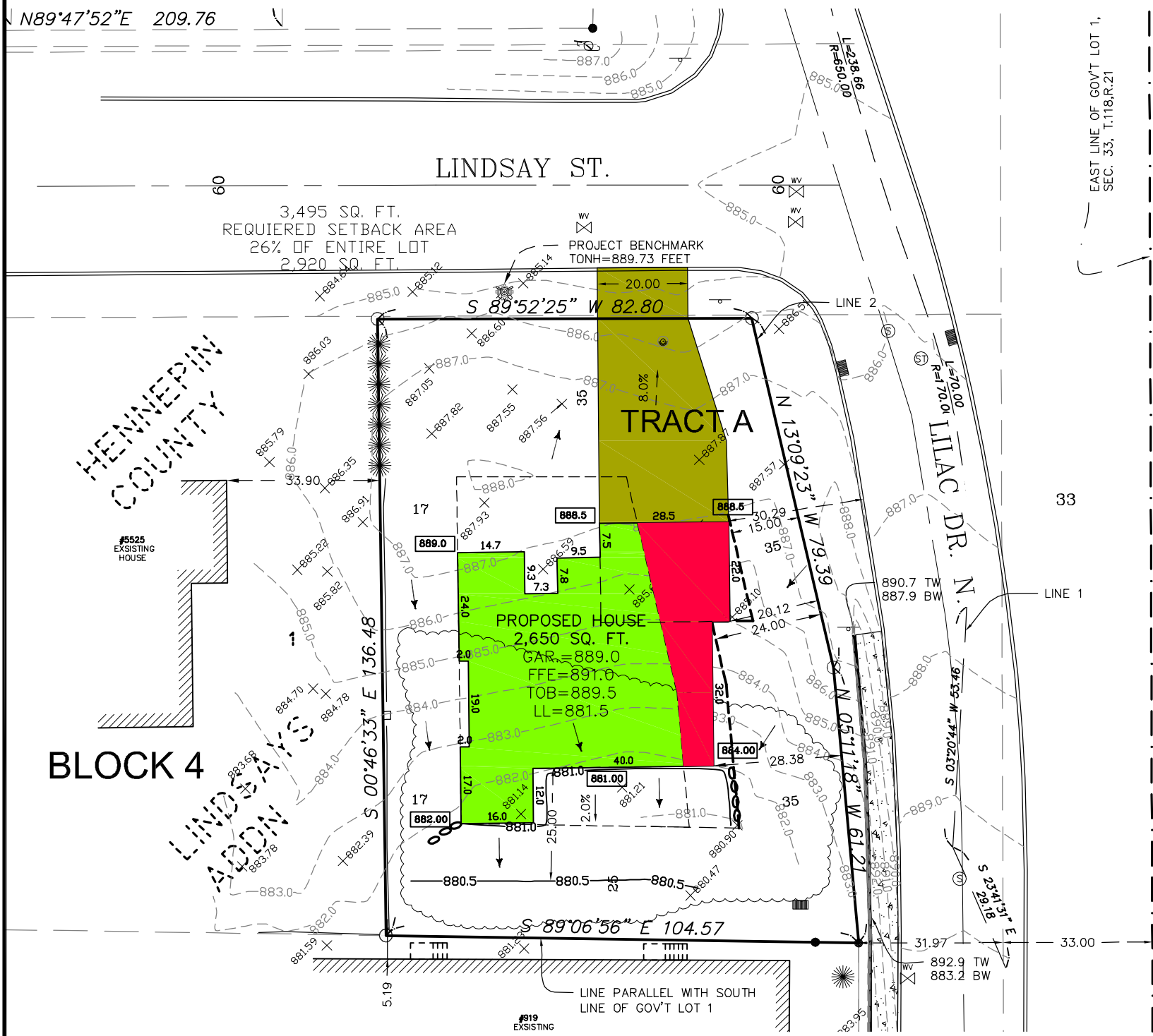
Recommendation

Staff recommends **denial** of the variance request of 20 ft. off of the required 35 ft. to a distance of 15 ft. at its closest point to the front yard (east) property line.

SITE PLAN -for- IRYNA SIVRIVER



Call 48 Hours before digging
GOPHER STATE ONE CALL
Twin Cities Area 651-454-0002
MN. Toll Free 1-800-252-1166



BUILDABLE AREAS WITH REQUIRED SETBACK

DESCRIPTION	SQ. FT.	LOT AREA SQ. FT.	%
BUILDABLE AREA	3,495	13,196	26
HOUSE/GAR. FOOTPRINT	2,960	13,196	22
HOUSE FOOTPRINT	2,384	13,196	18
HARDCOVER (50% MAX.)	2,960	13,196	22

LEGAL DESCRIPTION

All of Tract A described below:

Tract A.

The East 136.5 feet of Lot 1, Block 4, Lindsay's Addition, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota; the title thereto being registered; Except that part which lies westerly of Line 1 described below:

Line 1.

Commencing at the northwest corner of section 19, Township 29 North, Range 24 West, as shown on Minnesota Department of Transportation Right of Way Plat No. 27-104 as the same is on file and of record in the office of the County Recorder for Hennepin County, Minnesota; thence westerly on an azimuth of 269 degrees 45 minutes 11 seconds along the boundary of said plat for 79.92 feet; thence on an azimuth of 180 degrees 16 minutes 03 seconds for 588.69 feet to the point of beginning of Line 1 to be described; thence deflect to the left on a tangential curve, having a radius of 650.00 feet and a delta angle of 21 degrees 02 minutes 14 seconds for 238.66 feet to a point of reverse curvature; thence deflect to the right on a tangential curve having a radius of 170.00 feet and a delta angle of 23 degrees 35 minutes 33 seconds for 70.00 feet; thence on an azimuth of 182 degrees 49 minutes 22 seconds for 53.46 feet; thence on an azimuth of 155 degrees 47 minutes 07 seconds for 29.18 feet and there terminating;

Line 2.

Beginning at Right of Way Boundary Corner B15 as shown on said Plat No. 27-104; thence northerly on an azimuth of 00 degrees 11 minutes 14 seconds along the boundary of said plat for 77.32 feet to Right of Way Boundary Corner B16; thence on an azimuth of 355 degrees 05 minutes 55 seconds for 61.21 feet; thence on an azimuth of 347 degrees 07 minutes 50 seconds for 79.39 feet and there terminating;

the title thereto being registered as evidenced by Certificate of Title No. 1440941; which lies westerly of Line 2 described above;

LEGEND

- DENOTES FOUND PROPERTY IRON
- DENOTES SET 1/2" X 18" REBAR WITH PLASTIC CAP "PLS 25105"
- DENOTES BOUNDARY LINE
- DENOTES LOT LINE
- - - DENOTES SETBACK LINE
- x999.99 DENOTES EXISTING SPOT ELEVATION
- DENOTES CONCRETE SURFACE
- - - 999 - - - DENOTES EXISTING CONTOUR LINE
- ☁ DENOTES TREE LINE
- wv DENOTES WATER VALVE
- ⊕ DENOTES FIRE HYDRANT
- ☼ DENOTES CONIFEROUS TREE
- DENOTES CHAINLINK FENCE
- DENOTES WOOD FENCE
- ⚡ DENOTES ELECTRIC POWER POLE
- DENOTES RETAINING WALL
- (M) DENOTES MEASURED DISTANCE
- (P) DENOTES PLATTED DISTANCE
- Ⓢ DENOTES SANITARY MANHOLE
- ⓈT DENOTES STORM SEWER MANHOLE
- DENOTES STORM CATCH BASIN (RECTANGLE)
- ← DENOTES DRAINAGE FLOW
- ⦿ DENOTES SIGN/POST

NOTES

1. THE BASIS OF THE BEARING SYSTEM IS ASSUMED.
2. NO SPECIFIC SOIL INVESTIGATION HAS BEEN COMPLETED
3. CONTRACTOR SHALL VERIFY PROPOSED ELEVATIONS.
4. NO TITLE INFORMATION WAS PROVIDED FOR THIS SURVEY. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD.
5. EXISTING UTILITIES AND SERVICES SHOWN HEREON OWNER LOCATED EITHER PHYSICALLY ON THE GROUND DURING THE SURVEY OR FROM EXISTING RECORDS MADE AVAILABLE TO US OR BY RESIDENT TESTIMONY. OTHER UTILITIES AND SERVICES MAY BE PRESENT. VERIFICATION AND LOCATION OF UTILITIES AND SERVICES SHOULD BE OBTAIN FROM THE OWNERS OF RESPECTIVE UTILITIES BY CONTACTING GOPHER STATE ONE CALL AT (651) 454-0002 PRIOR TO ANY DESIGN, PLANNING OR EXCAVATION.

BUILDING SETBACKS

ZONING: R-2 = MODERATE DENSITY RESIDENTIAL
HOUSE: FRONT = 35 FT
REAR = 25 FT
SIDE = 12.5 FT

PROPOSED HARDCOVER

PROPOSED HOUSE 2,995 SQ. FT.
PROPOSED DRIVEWAY 1,168 SQ. FT.
TOTAL IMPERVIOUS SURFACE 4,163 SQ. FT.
TOTAL LOT AREA 13,196 SQ. FT.
EXISTING HARDCOVER 31.5 %

REFERENCE BENCHMARK

ELEVATION = 828.65. (NGVD 29) MNDOT DISK "WINNETKA"

ENGINEERING DESIGN & SURVEYING
6480 Wayzata Blvd. Minneapolis, MN 55426
OFFICE: (763) 545-2800 FAX: (763) 545-2801
EMAIL: info@edsmn.com WEBSITE: http://edsmn.com

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Vlad Sivriver
VLADIMIR SIVRIVER L.S. NO. 25105

DATED: 07/17/20

JOB NAME: Iryna Sivriver	FIELD WORK DATE: 03/03/20	DRAWN BY: DH	PROJECT NO.: 20-011
LOCATION: 5509 LINDSAY ST. GOLDEN VALLEY, MN 55422	FIELD BOOK NO.: EDS-13	CHECKED BY: VS	SHEET NO. 1 OF 1



① 3D View 1
12" = 1'-0"

PLAN INFORMATION

FRAMING NOTES:

- ALL EXTERIOR WALLS TO BE 2X6 @ 16" O.C. WITH A DOUBLE TOP PLATE UNLESS OTHERWISE NOTED.
- WALL FRAMING SHALL BE S.P.F. STUD GRADE OR BETTER UNLESS NOTED OTHERWISE (U.N.O.)
- ALL HEADERS SHALL BE (2) - 2X10 U.N.O.
- EXTERIOR SHEATHING SHALL BE 7/16" MATERIAL CONSISTING OF ORIENTED STRAND BOARD (OSB).
- ALL FLOOR AND CEILING SYSTEMS TO CHECKED AND DESIGNED BY THE DESIGNATED MANUFACTURER. TRUSS PLANS TO BE ON SITE @ TIME OF FRAMING
- PRESSURE TREATED WOOD IS TO BE USED WHERE WOOD IS IN CONTACT WITH CONCRETE AND AT 2X6 MUD SILL. TREATED MEMBERS TO BE S.Y.P. #2 OR BETTER.
- FOR OPENINGS IN EXTERIOR WALLS (OR WALLS WITH LATERAL LOADING:
 - a) 0'-0" - 4'-0" = 1 JACK STUD
 - b) 4'-0" - 8'-0" = 2 JACK STUDS
 - c) 8'-0" - 12'-0" = 3 JACK STUDS
 - d) GREATER THEN 12' = CONSULT ENGINEER.
- POSTS CALLED OUT ARE NUMBER OF KING STUDS REQUIRED PER SIDE OF OPENING.

CONCRETE NOTES:

- ALL CONCRETE FOOTINGS AND FOUNDATION SYSTEMS ARE DESIGNED FOR A 2000 P.S.F. SOIL
- FOUNDATION WALLS SHALL BE FULL HEIGHT AT UNBALANCED FILL GREATER THEN 3'-4"
- 1/2" ANCHOR BOLTS EMBEDDED 7" MINIMUM @ 4' O.C. MAX. 12" MIN. FROM EACH END. MINIMUM OF 2 BOLTS IN EACH SILL PLATE
- PAD FOOTINGS REINFORCEMENT IS TO BE LOCATED 3" FROM BOTTOM OF FOOTING TYP. (WHEN REQUIRED)
- CONTRACTOR IS RESPONSIBLE FOR ALL STEEL REBAR SIZING PER STATE AND LOCAL BUILDING CODES
- MIN. 5000 PSI CONCRETE @ ALL FOOTINGS

INSULATION:

- ALL EXTERIOR WALLS TO HAVE A MINIMUM RATING OF R-20
- ALL ATTIC SPACES ARE TO HAVE A MINIMUM RATING OF R-49
- ALL FLOOR SPACES OVER UNCONDITIONED SPACE OR CANTILEVERED ARE TO HAVE A MINIMUM RATING OF R-30
- SHEETROCK:**
- ALL CEILINGS ARE TO HAVE 5/8" NON-SAG GYPSUM BOARD U.N.O.
- ALL WALLS ARE TO HAVE 1/2" GYPSUM BOARD U.N.O.
- GARAGE CEILING AND WALLS THAT ADJOIN HOUSE WALLS ARE TO BE 5/8" TYPE "X" GYPSUM BOARD U.N.O.
- ALL EXTERIOR WALLS OF GARAGE AND HOUSE THAT ARE WITHIN 5' SETBACK TO HAVE 5/8" TYPE "X" EXTERIOR GRADE GYPSUM BOARD ON EXTERIOR SIDE OF WALL AND 5/8" TYPE "X" ON INTERNAL SIDE OF WALL.
- DOORS AND WINDOWS:**
- ALL WINDOWS AND DOORS TO NE DOUBLE GLASS PANELS WITH LOW-E RATINGS.
- ANY WINDOW WITHIN 24" OF A DOOR SWING MUST BE TEMPERED
- ANY WINDOW ABOVE A TUB MUST BE TEMPERED
- ANY WINDOW WITHIN A STAIRWAY MUST BE TEMPERED
- WINDOW GLAZING MUST BE AT LEAST 18" ABOVE FINISHED FLOOR WHEN WINDOW IS ABOVE 6' FROM GRADE
- ALL BEDROOMS TO HAVE AT LEAST ONE WINDOW THAT HAS A CLEAR EGRESS OPENING OF 5.7 SQ. FT. WITH MIN. DIMENSIONS OF 24" IN HEIGHT AND 20" IN WIDTH. SILL HEIGHT NOT TO BE GREATER THEN 44" ABOVE FINISHED FLOOR.
- WINDOWS WITH SILLS WITHIN 3' OF THE FLOOR THEY SERVE AND ARE 72" ABOVE GRADE MUST EITHER HAVE A FALL PREVENTION OR OPENING LIMITER DEVICE PER CODE.
- MECHANICAL & ELECTRICAL:**
- ALL ELECTRICAL AND MECHANICAL EQUIPMENT TO BE VERIFIED AND INSTALLED PER CODE BY APPROVED TRADES AND INSTALLERS.

CODE INFORMATION

SINGLE FAMILY CONSTRUCTION

- 2015 Minnesota Residential Building code
- 2015 Minnesota Residential Energy code
- 2017 National Electric Code
- 2015 Minnesota Mechanical and Fuel Gas Code
- 2015 Minnesota Plumbing Code

SOIL TYPE:

- DESIGNED WITH 2000 PSF SOILS, ALL FOUNDATION CONSTRUCTION MUST FACTOR IN THIS AT MINIMUM
- WIND EXPOSURE:**
- DESIGNED WITH "EXPOSURE B" CLASSIFICATIONS AND WIND GUSTS OF 90 MPH PER 2015 MN IRC CODE REGULATIONS.

GENERAL NOTES:

- ALL FOUNDATION WALL STRUCTURAL INFORMATION USED TO CONSTRUCT THE FOUNDATION SYSTEM IS TO BE ON SITE WHEN POURING OR BUILDING WALLS.
- ALL STRUCTURAL BEAMS, POSTS & TALL WALLS ARE TO BE BUILT PER I-LEVEL SPECIFICATIONS.
- ALL MANUFACTURED FLOORS & ROOF TRUSSES ARE TO BE INSTALLED PER MANUFACTURERS SPECIFICATIONS.
- ALL MANUFACTURED FLOOR & ROOF TRUSS SPECIFICATIONS ARE TO BE ON SITE DURING INSTALLATION.

WINDOW FALL PREVENTION DEVICES AND WINDOW GUARDS SHALL COMPLY WITH THE REQUIREMENTS OF ASTM F 2090

WINDOW AND EXTERIOR DOOR U-FACTOR TO BE 0.30 OR BETTER GLASS SOLAR HEAT GAIN COEFFICIENT (SHGC) TO BE 0.28 OR BETTER

Sheet List	
Sheet Number	Sheet Name
A100	Cover Page
A200	Elevations
A300	Foundation / Basement
A400	Main Level
A500	Upper Level
A600	Section
A700	Detail Plan
A800	Braced Wall Notes
A900	Braced Wall Plans
SITE PLAN BY OTHERS	

REVISION DATE :

Area Schedule		
Area	Level	Name
Not Placed	Not Placed	Mech Room / Storage
Not Placed	Not Placed	Front Porch
Not Placed	Not Placed	Deck (optional)
Not Placed	Not Placed	3 Season Porch
2272 SF	Foundation / Basement Level	Unfinished Basement
2368 SF	Main Level	Main Level
627 SF	Main Level	Garage
1021 SF	Upper Level	Upper Level



AVA STUDIO
6641 W 18TH STREET ST LOUIS PARK MN 55426
PHONE 612 532 8159
EMAIL PROHOMEEEXTERIOR@YAHOO.COM

AVASTUDIO.HOUZZ.COM

ALL PLANS ARE TO BE REVIEWED BY THE GENERAL CONTRACTOR AND THE MUNICIPAL BUILDING OFFICIAL PRIOR TO CONSTRUCTION. AVA STUDIO LLC. IS NOT RESPONSIBLE FOR ANY PROBLEM AS A RESULT OF AN ERROR OMISSION ON THESE PLANS.

5509 Lindsay St
Golden Valley
Cover Page

Project number 5509
Date 6/10/2020
Drawn by Alexander Bocharnikov

A100

Scale 12" = 1'-0"



① Front
1/4" = 1'-0"



④ Left
1/8" = 1'-0"



③ Right
1/8" = 1'-0"



② Rear
1/8" = 1'-0"



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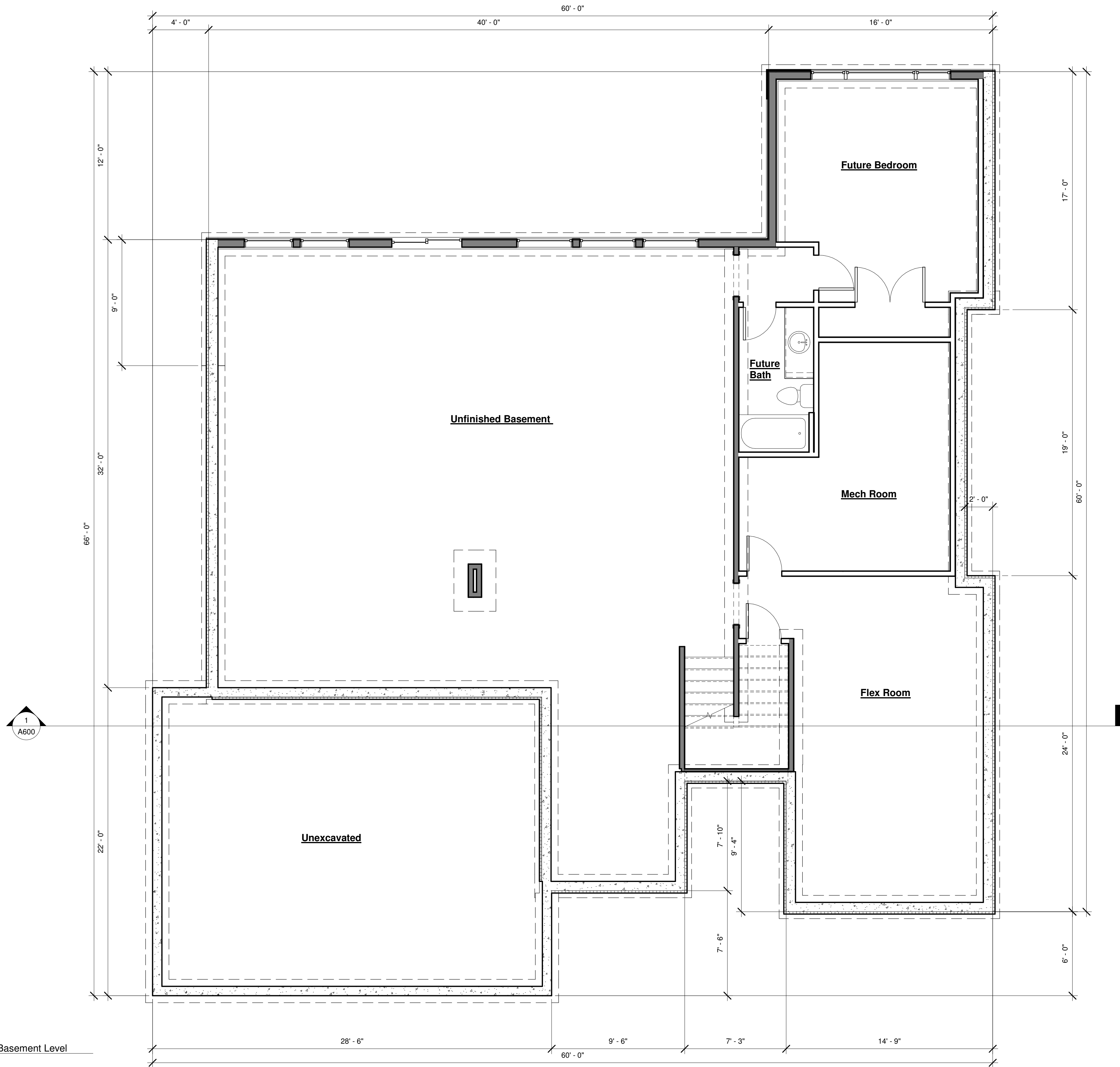
5509 Lindsay St
Golden Valley
Elevations

Project number 5509
Date 6/10/2020
Drawn by Alexander Bocharnikov

A200

Scale As indicated

6/24/2020 8:07:37 PM



1 Foundation / Basement Level
1/4" = 1'-0"



AVA STUDIO
6641 W 18TH STREET ST LOUIS PARK MN 55426
PHONE 612 532 8159
EMAIL PROHOMEEEXTERIOR@YAHOO.COM

AVASTUDIO.HOUZZ.COM

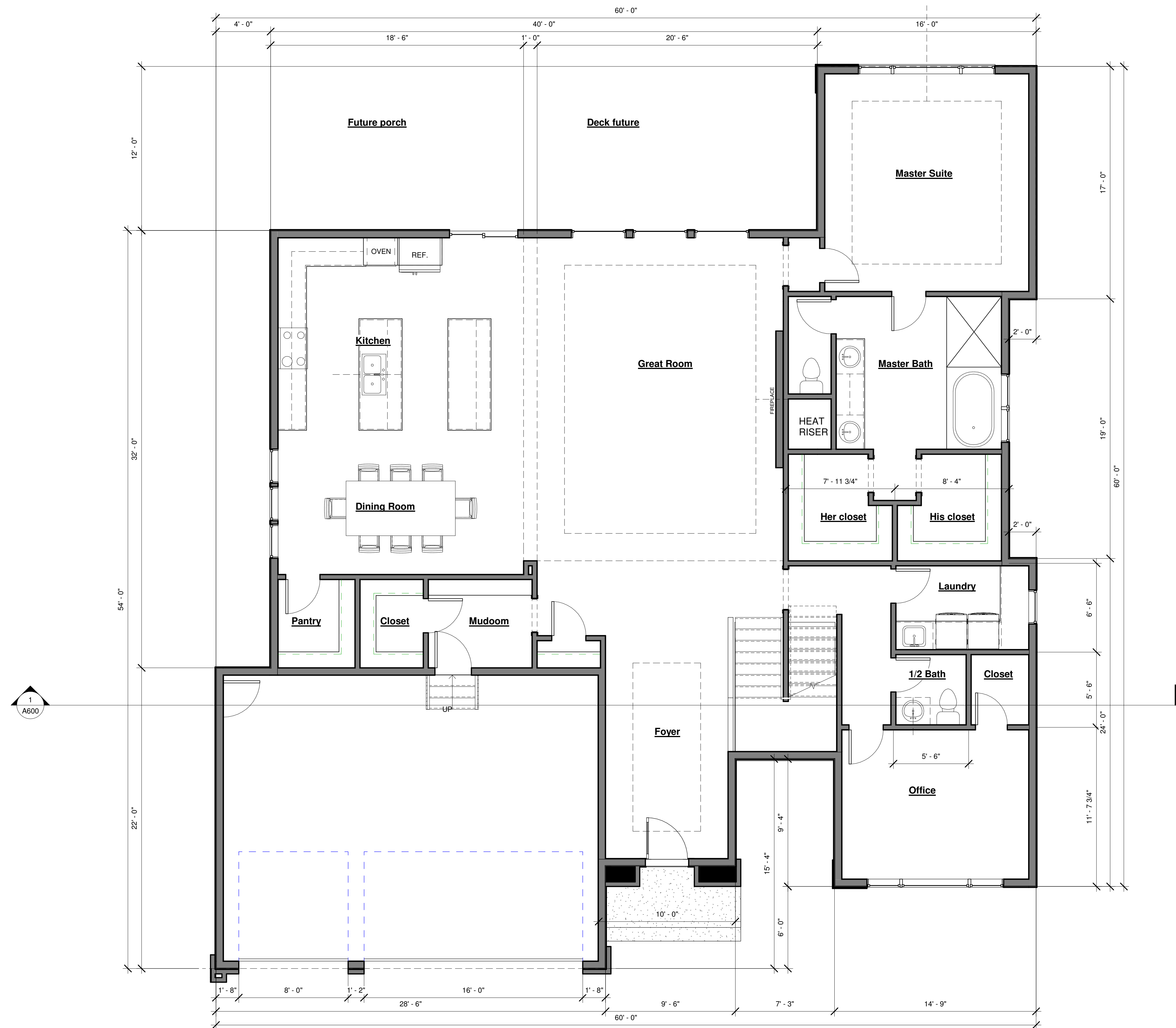
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5509 Lindsay St
Golden Valley
Foundation /
Basement

Project number 5509
Date 6/10/2020
Drawn by Alexander Bocharnikov

A300

Scale 1/4" = 1'-0"



① Main Level
1/4" = 1'-0"



AVA STUDIO
6641 W 18TH STREET ST LOUIS PARK MN 55426
PHONE 612 532 8159
EMAIL PROHOMEEEXTERIOR@YAHOO.COM

AVASTUDIO.HOUZZ.COM

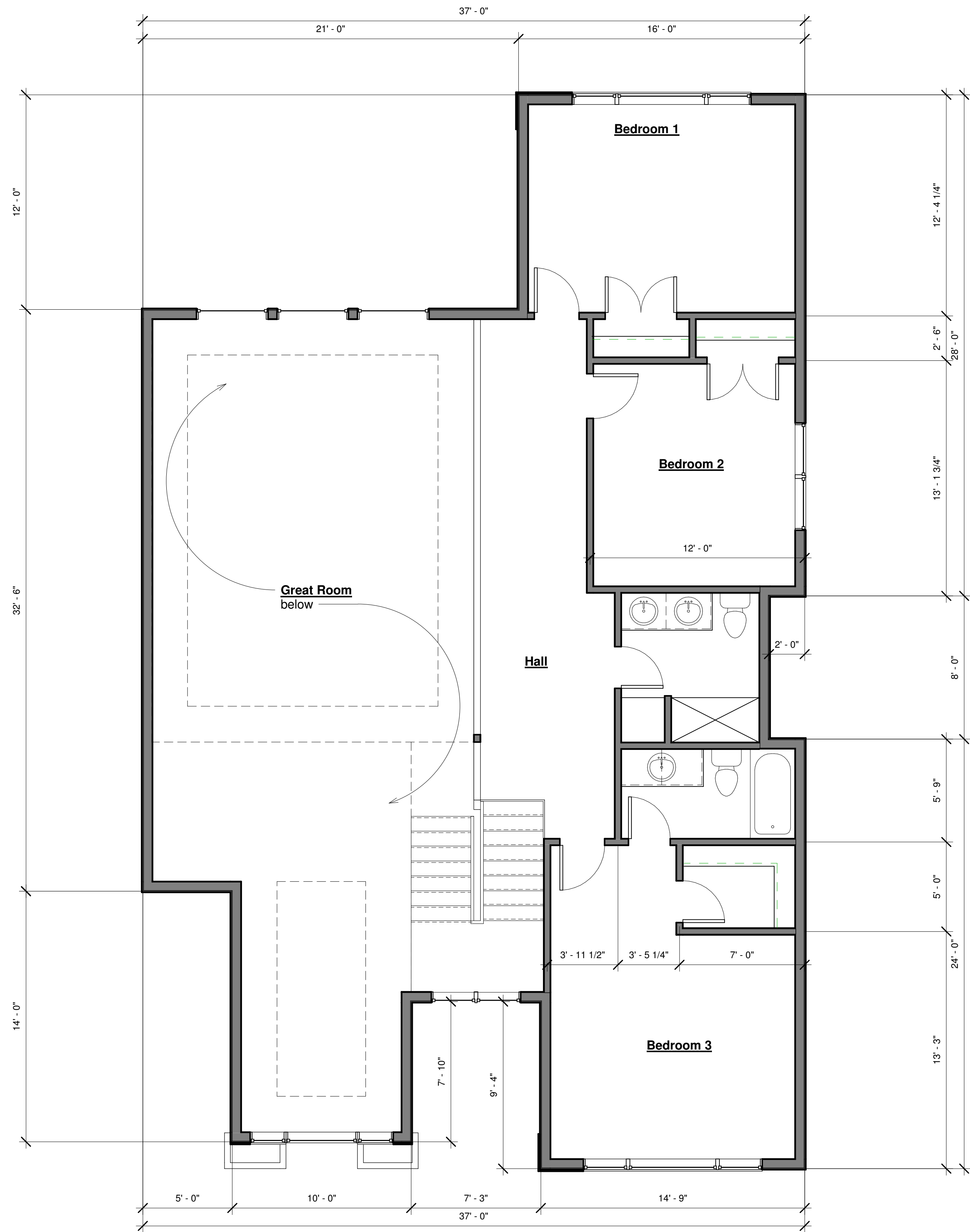
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5509 Lindsay St
Golden Valley
Main Level

Project number 5509
Date 6/10/2020
Drawn by Alexander Bocharnikov

A400

Scale 1/4" = 1'-0"



1 Upper Level
1/4" = 1'-0"



AVA STUDIO
6641 W 18TH STREET ST LOUIS PARK MN 55426
PHONE 612 532 8159
EMAIL PROHOMEEXTERIOR@YAHOO.COM

AVASTUDIO.HOUZZ.COM

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5509 Lindsay St
Golden Valley
Upper Level

Project number 5509
Date 6/10/2020
Drawn by Alexander Bocharnikov

A500

Scale 1/4" = 1'-0"

ROOF:
VENT ROOF 1/300 TH. VALLEYS &
ALL ROOF/WALL INTERSECTIONS
30 YR ARCHITECTURAL ASPHALTIC SHINGLES
15# ASPHALT FELT
ICE & WATER SHIELD (FIRST 6'-0"
AND ALL VALLEYS AS PER CODE)
1/2" PLYWD. SHTG. W/ CLIPS
ENG. ROOF TRUSSES @ 24" O.C.
AIR CHUTE (PROVIDE UNOBSTRUCTED AIR FLOW)
(R-49) BLOW IN INSULATION
4 MIL. POLY VAPOR BARRIER
5/8" GYP. CEILING BD.

FASCIA:
2X6 SUB FASCIA
6" ALUMINUM FASCIA
ALUMINUM VENTED SOFFIT @ FRONT ELEVATION

WALL:
1/2" GYP. BD. TYP.
4-MIL. POLY VAPOR BARRIER
(R-20) FBGLS. BATT INSULATION
2X6 STUDS @ 16" O.C.
7/16" OSB SHEATHING
TYVAKE HOUSE WRAP
SIDING PER ELEVATION

RIM BETWEEN MAIN AND UPPER LEVELS
7/16" OSB RIM SHEATHING
2X4 CONTINUOUS RIBBON BD.
(R-20) CLOSED SELL FOAM INSUL. RIM
DURASEAL OR SAME QLTY.

RIM BETWEEN LOWER AND MAIN LEVELS
7/16" OSB RIM SHEATHING
2X4 CONTINUOUS RIBBON BD.
TREATED 2X6 SILL PLATE & SILL SEAL TYP.
(R-20) CLOSED SELL FOAM INSUL. RIM
DURASEAL OR SAME QLTY.

FOUNDATION
1/2" DIAMETER A.B. W/ 7" MIN. EMBEDDED & 2"
SIDE X 1/8" THICK SQUARE OR ROUND
COUNTERSINK WASHERS @ 48" AND WITHIN 12"
FROM EACH CORNER & WINDOW WELL
WEATHER RESISTANT OPAQUE PROTECTIVE COATING
TO 6" BELOW GRADE MIN.
6 MILL CONTINUOUS SLIP SHEET TO TOP OF CONCRETE WALL
(R-10) 2" (XPS) FOAM INSULATION COMPLYING WITH
ASTM C578
ASPHALT EMULSION PAINT WATERPROOFING
8" X 108" POURED IN PLACE CONCRETE WALL
HORIZONTAL 3 ROWS OF #4
VERTICAL #6 36" O.C.
20" X 8" CONC.FTG. W/ (2) #4 REBAR
5000 PSI MIN COMPRESSIVE STRENGTH
DRAIN TILE TO SUMP PUMP



1 Section 1
1/4" = 1'-0"



AVA STUDIO
6641 W 18TH STREET ST LOUIS PARK MN 55426
PHONE 612 532 8159
EMAIL PROHOMEEEXTERIOR@YAHOO.COM

AVASTUDIO.HOUZZ.COM

ALL PLANS ARE TO BE REVIEWED BY THE GENERAL
CONTRACTOR AND THE MUNICIPAL BUILDING
OFFICIAL PRIOR TO CONSTRUCTION.
AVA STUDIO LLC. IS NOT RESPONSIBLE
FOR ANY PROBLEM AS A RESULT OF AN ERROR
OMISSION ON THESE PLANS.

5509 Lindsay St
Golden Valley
Section

Project number 5509
Date 6/10/2020
Drawn by Alexander Bocharnikov

A600

Scale 1/4" = 1'-0"





Zoning Code Variance Application

Page 1 of 3

Street address of property in this application:
5509 Lindsay St., Goden Valley

Applicant Information

Name (individual, or corporate entity)
Vladimir Sivriver dba EDS Inc.

Street address
6480 Wayzata Blvd. Golden Valley, MN

Zip
55426

Phone
763 545-2800

Email
vsivriver@edsmn.com

Authorized Representative (if other than applicant)

Name

Street address

Zip

Phone

Email

Property Owner (if other than applicant)

Name
Iryna and Vladimir Sivriver

Street address
6480 Wayzata Blvd. Golden Valley, MN

Zip
55426

Phone
763 545-2800

Email
vsivriver@edsmn.com

Site Information

Provide a detailed description of the variance(s) being requested:

1. Easterly 15' setback to NE garage corner vs 35' required
2. Easterly 24" to NW house corner 35' required
3. Westerly 12.5' vs 17' requires by height. (only needed if 1 and 2 are not granted)

Provide a detailed description of need for a variance from the Zoning Code, including description of building(s), description of proposed addition(s), and description of proposed alteration(s) to property:

This a corner lot, 35' feet required for both streets. It creates the following practical difficulties to built a reasonable size house:

1. With current setback requirement it will leave only 18% area for house footprint See Attached Site Plan). With this rules you can build trailer or manufacture home.
2. Most of the other cities have reduction for the second street setback. (St. Louis Park - 9 feet, Edina -15 feet, Minnetonka - 25 feet for R1, St. Paul 5-6 feet).
3. Current setbacks controversies the hardcover requirements. While citv code allowing to have up to 50% hardcover. the

→ continued

Minnesota State Statute 462.357 requires that a property exhibit “practical difficulties” in order for a variance to be considered. Practical difficulties:

- result in a use that is reasonable
- are based on a problem that is unique to the property
- are not caused by the landowner
- do not alter the essential character of the locality

To demonstrate how your request will comply with Minnesota State Statute 462.357, please respond to the following questions.

Explain the need for your variance request and how it will result in a reasonable use of the property.

My wife and I purchased 0.3 acres a parcel to build our dream home. We have a very successful business here in Golden Valley which located only 1 mile away from the parcel. The proposed house will fit to surrounding neighborhood westerly and northerly which have all newer houses. The MnDOT frontage road and Highway 100 easterly of the property does not have conflict with the proposed development. The commercial warehouse southerly of the property also has no conflict with proposed development.

Therefore, the proposed house will result in reasonable use of the parcel.

What is unique about your property and how do you feel that it necessitates a variance?

Irregular shape of the lot and harsh setback requirements makes it almost impossible to build a reasonable house. In my opinion the city code should be reconsidered for the average size corner lot, like in many other adjacent Cities.

Explain how the need for a variance is based on circumstances that are not a result of a landowner action.

With current setback requirement it will leave only 18% area of entire lot for the house footprint. Without this variance I have to sell the parcel: who may agree to build a little tiny house, manufacture home or perhaps place a trailer . Even so It will not fit to the character of the block neighborhood.

Explain how, if granted, the proposed variance will not alter the essential character of your neighborhood and Golden Valley as a whole.

The proposed house will fit to surrounding neighborhood westerly and northerly which have all newer houses. The MnDOT frontage road and Highway 100 easterly of the property does not have conflict with the proposed development. The commercial warehouse southerly of the property also has no conflict.

The City requests that you consider all available project options permitted by the Zoning Code before requesting a variance. The Board of Zoning Appeals will discuss alternative options to seeking a variance with you at the public hearing. **Please describe alternate ways to do your project that do not require variances from the Zoning Code.**

We have been working with Jason Zimmerman on the this project for several months. Initially we had a bigger house. He suggested that in orderer to BZA grant the variances, we have to demonstrate the best effort to reduce the house as much as we can. We followed his advice and reduced a foot print of the house by 4 feet W-E direction and by 4 foot N-S direction. (We reduced the size of hallway, master bedroom, kitchen and dinning room). That way we can ask the board for reasonable variances.

Required Attachments

- ☒ **Current survey** of your property, including proposed addition and new proposed building and structure setbacks (a copy of Golden Valley's survey requirements is available upon request; application is considered incomplete without a current property survey)
- ☒ One **current color photograph** of the area affected by the proposed variance (attach a printed photograph to this application or email a digital image to planning@goldenvalleymn.gov; submit additional photographs as needed)
- ☒ **Application fee:** \$200 for Single-Family Residential, \$300 for all other Zoning Districts
- ☒ **Legal description:** Exact legal description of the land involved in this application (attach a separate sheet if necessary)

Signatures

To the best of my knowledge, the statements found in this application are true and correct. I also understand that unless construction of the action applicable to this variance request, if granted, is not taken within one year, the variance expires. I have considered all options afforded to me through the City's Zoning Code and feel there is no alternate way to achieve my objective except to seek a variance to zoning rules and regulations. I give permission for Golden Valley staff, as well as members of the Board of Zoning Appeals, to enter my property before the public hearing to inspect the area affected by this request.

Applicant

Name (please print): Vladimir Sivriver

Signature: **X** Vlad Sivriver

Date: 7/17/20

Authorized Representative (if other than applicant)

Name (please print): _____

Signature: **X** _____

Date: _____

Property Owner (if other than applicant)

Name (please print): Vladimir Sivriver

Signature: **X** Vlad Sivriver

Date: 7/17/20

Please note: The City of Golden Valley will send notice of your variance request to all adjoining property owners as well as owners of properties directly across streets or alleys. Your neighbors have the right to address the Board of Zoning Appeals at your public hearing. You are advised to personally contact your neighbors and explain your project to them before the public hearing.



This document is available in alternate formats upon a 72-hour request. Please call 763-593-8006 (TTY: 763-593-3968) to make a request. Examples of alternate formats may include large print, electronic, Braille, audiocassette, etc.

